

MICHAEL A. CARDOZO
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

JORDAN M. SMITH
(212) 788-0869
fax: (212) 788-9776
josmith@law.nyc.gov

MEMO ENDORSED

February 8, 2008

BY FAX: (212) 805-6326

The Honorable Colleen McMahon
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

OK

Re: Kyra Lynch v. The City of New York, et al.
07 CIV 10446 (CM)(MHD)

Colleen McMahon
2/8/08

Your Honor:

I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, supervising the defense of the above-referenced federal civil rights lawsuit. I write to respectfully request that Assistant Corporation Counsel Maurice Hudson, who is assigned by this office to the defense of this case, be permitted *pro hac vice* to depose plaintiff Kyra Lynch under the supervision of an admitted attorney from this office. Plaintiff's counsel, Cynthia Conti-Cook, Esq., consents to this request. The reasons for this request are set forth below.

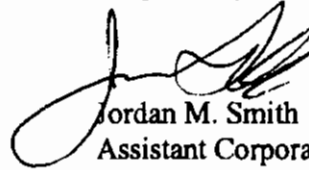
On January 22, 2008, in keeping with Your Honor's individual rules regarding qualified immunity, defendants filed a bare motion for summary judgment on the issue of qualified immunity. As Your Honor's rules also require that plaintiff's deposition be taken within thirty days of filing the motion, plaintiff's deposition has been scheduled for Tuesday, February 12, 2008. Given that Assistant Corporation Counsel Hudson has been handling the case under my supervision since its inception, we believe that it is in the best interests of the City for Mr. Hudson to depose the plaintiff.

Mr. Hudson passed the New York State bar examination given last July. Although Mr. Hudson is not presently admitted to the bar of the U.S. District Court for the Southern District of New York, our office anticipates his admission in the next several weeks. Also, we respectfully note for the Court's information that Assistant Corporation Counsels awaiting admission are permitted to practice under supervision in state court by order of the

Appellate Division of the Supreme Court, First and Second Departments, under sections 478 and 484 of the Judiciary Law of the State of New York.

Accordingly, for the reasons set forth herein, we respectfully ask the Court to permit Assistant Corporation Counsel Maurice Hudson to take the deposition of plaintiff Kyra Lynch on a *pro hac vice* basis. Thank you for your consideration of this request.

Respectfully submitted,



Jordan M. Smith
Assistant Corporation Counsel

cc: Cynthia Conti-Cook, Esq. (BY FAX)
Attorney for Plaintiff
71 Nevins Street
Brooklyn, New York 11217
Fax: (718) 852-3586